



AF 1616 CW

PTO/SB/21 (09-04)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/673,872
Filing Date	December 4, 2000
First Named Inventor	Wai-Chiu So
Art Unit	1616
Examiner Name	Sharmila S. Gollamudi
Attorney Docket Number	021706-000800US

Total Number of Pages in This Submission

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication to the Examiner; copy of Declaration; Return Postcard
<div>Remarks</div> <div>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</div>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Joseph R. Snyder		
Date	October 20, 2005	Reg. No.	39,381

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Judith Cotham	Date	October 20, 2005



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On 10/20/05

TOWNSEND and TOWNSEND and CREW LLP

By: *Justin Cote*

PATENT  
Docket No.: 021706-000800US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Tony Wai-Chiu So et al.

Application No.: 09/673,872

Filed: December 4, 2000

For: PHARMACEUTICAL COMPOSITION

Examiner: Sharmila S. Gollamudi

Art Unit: 1616

COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On October 17, 2005, Applicants submitted a timely Response to the Office Action mailed May 16, 2005. A Notice of Appeal was filed concurrent therewith. On page 16 of the Response, Applicants stated that a copy of a Declaration of Alby Abram (the "2004 Declaration") was being submitted with the Response; however, the Declaration was inadvertently omitted from the submission. This Communication rectifies that omission.

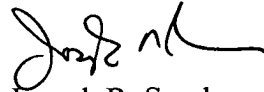
Applicants further note that this 2004 Declaration is already of record in U.S. Patent Application No. 10/124,197 (now U.S. Patent No. 6,946,120 B2), which is a continuation of the subject application.

Tony Wai-Chiu So et al.  
Application No.: 09/673,872  
Page 2

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (925) 472-5000.

Respectfully submitted,



Joseph R. Snyder  
Reg. No. 39,381

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
JS:jc

60615352 v1